

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR A SPECIAL EXCEPTION TO EXPAND AN EXISTING CHURCH ON PROPERTY ZONED A-5 (RURAL ZONING CLASSIFICATION DISTRICT); TRINITY ASSEMBLY OF GOD, APPLICANT.

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald  **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR A SPECIAL EXCEPTION TO EXPAND AN EXISTING CHURCH ON PROPERTY ZONED A-5 (RURAL ZONING CLASSIFICATION DISTRICT); TRINITY ASSEMBLY OF GOD, APPLICANT; OR
2. **DENY** THE REQUEST FOR A SPECIAL EXCEPTION TO EXPAND AN EXISTING CHURCH ON PROPERTY ZONED A-5 (RURAL ZONING CLASSIFICATION DISTRICT); TRINITY ASSEMBLY OF GOD, APPLICANT; OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

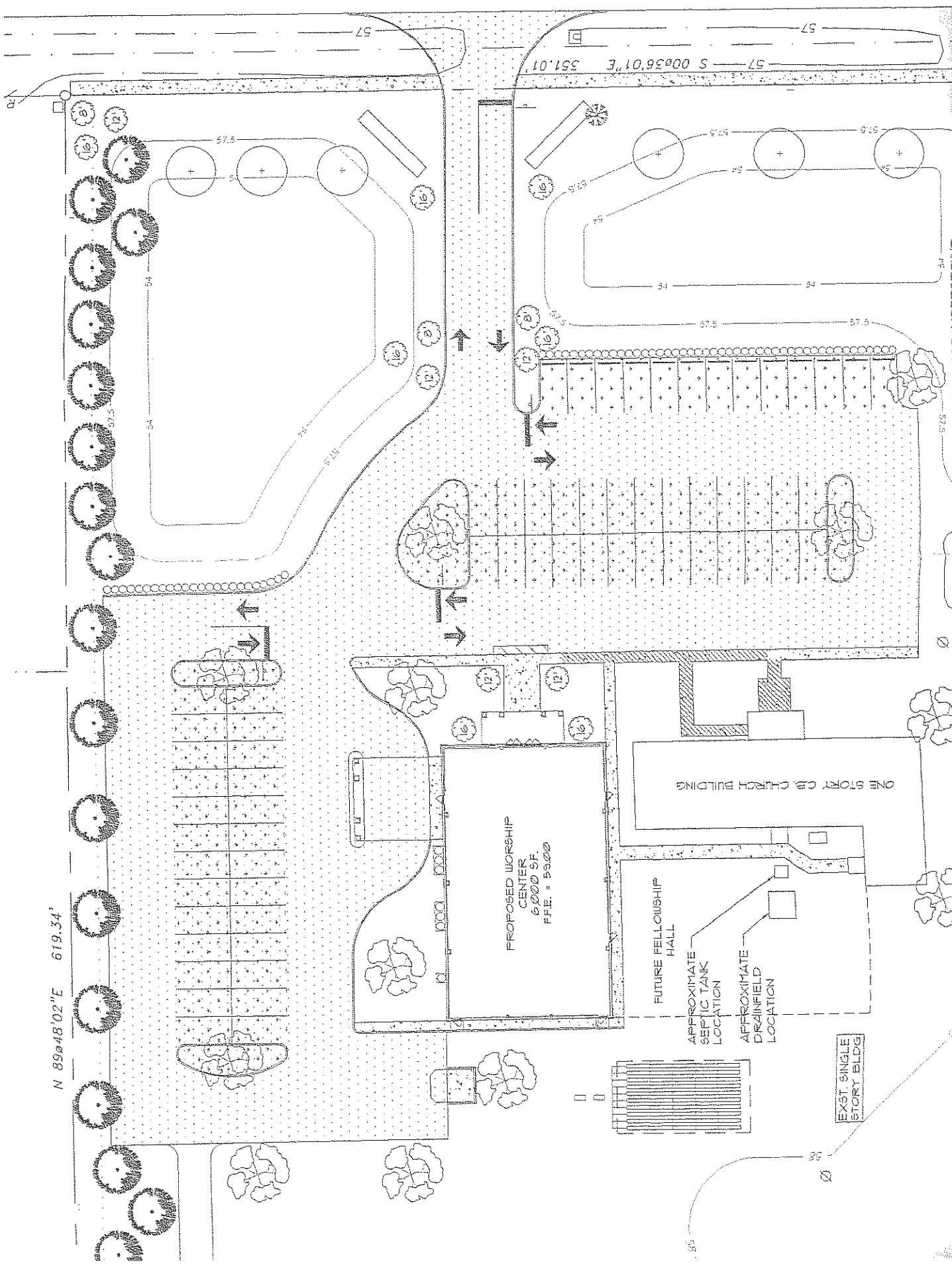
(Commission District #1, Maloy)

(Kathy Fall, Senior Planner)

GENERAL INFORMATION	TRINITY ASSEMBLY OF GOD, APPLICANT 1900 CR 419 CHULUOTA, FL A-5 DISTRICT, LDC SECTION 30.104(b)(3)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • ON JUNE 25, 2001, THE BOARD OF ADJUSTMENT (BOA) GRANTED A SPECIAL EXCEPTION TO ALLOW A 6,000 SF ATTENDANT BUILDING FOR THE EXISTING CHURCH ON THE SUBJECT PROPERTY; HOWEVER, THE APPLICANT FAILED TO ACQUIRE A DEVELOPMENT PERMIT WITHIN THE REQUIRED 1 YEAR TIME PERIOD FOLLOWING THE GRANT OF THE SPECIAL EXCEPTION. • THE BOA IS EMPOWERED TO GRANT ONE (1) EXTENSION OF ANY SPECIAL EXCEPTION FOR A 6-MONTH PERIOD, SO ON JULY 22, 2002, THE BOA APPROVED A 6-MONTH EXTENTION FOR THE SPECIAL EXCEPTION GRANTED FOR THIS PROPERTY AT THE REQUEST OF THE APPLICANT. • THE APPLICANT'S FAILURE TO ACQUIRE A DEVELOPMENT PERMIT WITHIN THE EXTENSION

	<p>PERIOD HAS SINCE RESULTED IN THE EXPIRATION OF THE SPECIAL EXCEPTION GRANTED IN JUNE 2001; THIS REQUEST REPRESENTS THE APPLICANT'S REAPPLICATION FOR THE SAME.</p> <ul style="list-style-type: none"> THE SITE IS LOCATED IN THE A-5 DISTRICT, WHICH ONLY ALLOWS THE ESTABLISHMENT AND/OR EXPANSION OF CHURCHES AND ATTENDANT FACILITIES BY SPECIAL EXCEPTION. 			
ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	A-5	RURAL-5	CHURCH
	NORTH	A-5	RURAL-5	RESIDENTIAL
	SOUTH	A-5	RURAL-5	RESIDENTIAL
	EAST	A-5	RURAL-5	VACANT
	WEST	A-5	RURAL-5	RESIDENTIAL
FINDINGS	<ul style="list-style-type: none"> THE PROPOSED CHURCH, WHICH WOULD INCLUDE A SANCTUARY, EDUCATIONAL CENTER AND OFFICE ARE CONDITIONAL USES IN THE A-5 DISTRICT. TO ENSURE CONSISTENCY WITH THE GENERAL ZONING PLAN OF THE A-5 DISTRICT AND PROTECT THE CHARACTER OF THE AREA, THE BOARD OF ADJUSTMENT MAY IMPOSE REASONABLE RESTRICTIONS AND CONDITIONS. A 6,000 SF CHURCH ADDITION WOULD GENERATE AN AVERAGE OF 9.37 TRIPS PER 1,000 SF OF GROSS FLOOR AREA DURING PEAK HOUR ON SUNDAY AND AN AVERAGE OF 9.32 TRIPS PER 1,000 SF OF GROSS FLOOR AREA ON A WEEKDAY. IN SUM, A CHURCH OF THE SIZE PROPOSED WOULD GENERATE AN AVERAGE OF 56 TRIPS DURING PEAK HOUR ON SUNDAY AND WEEKDAYS. THE SECTION OF COUNTY ROAD 419 ABUTTING THE SUBJECT PROPERTY IS CLASSIFIED AS A TWO-LANE MINOR ARTERIAL WITH A LEVEL OF SERVICE (LOS) "A" OR CAPACITY OF 2,250 TRIPS PER DAY. STAFF BELIEVES ADDITIONAL CAPACITY IS AVAILABLE ON THE ADJOINING ROAD NETWORK TO ACCOMMODATE THE PROJECTED NUMBER OF TRIPS THE CHURCH EXPANSION WOULD GENERATE. THEREFORE, THE PROPOSED EXPANSION WOULD NOT HAVE AN UNDULY ADVERSE IMPACT UPON EXISTING TRAFFIC PATTERNS, MOVEMENTS OR INTENSITY. THE PROPOSED USE WOULD BE CONSISTENT WITH THE CONCEPT OF LOW-DENSITY, RURAL LAND USE WITH THE IMPOSITION OF THE CONDITIONS RECOMMENDED BY STAFF IN THIS REPORT. PURSUANT TO THE COUNTY'S COMPREHENSIVE PLAN, A MINIMUM LEVEL OF SERVICES AND FACILITIES WOULD BE REQUIRED FOR THE DEVELOPMENT OF THIS PROPERTY. 			

STAFF RECOMMENDATION	<p>THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA HAS NOT CHANGED SINCE A SPECIAL EXCEPTION WAS GRANTED TO EXPAND THE EXISTING CHURCH ON JUNE 25, 2001. FURTHERMORE, THIS REQUEST IS IDENTICAL TO THE PROPOSED INTENSITY OF DEVELOPMENT FOR THAT APPLICATION. THEREFORE, STAFF RECOMMENDS APPROVAL OF THE SPECIAL EXCEPTION BASED ON THE ORIGINAL CONDITIONS IMPOSED BY THE BOARD OF ADJUSTMENT. THEY ARE AS FOLLOWS:</p> <ol style="list-style-type: none">1. FINAL SITE PLAN APPROVAL SHALL MEET ALL APPLICABLE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN REGULATIONS.2. A LANDSCAPE BUFFER (AT LEAST TEN FEET IN WIDTH, SIX (6) FT IN HEIGHT, AND ATTAINING 100% OPACITY ONE YEAR AFTER PLANTING) OR A SIX (6) FT MASONRY WALL WITH TREES PLANTED ONE PER EVERY TWENTY-FIVE FT ALONG THE NORTHERN PROPERTY LINE SHALL BE PROVIDED.3. THE EXISTING EXTERIOR LIGHTING SHALL BE REMOVED FROM THE PREMISES.4. EXTERIOR LIGHTING SHALL BE LIMITED TO SIXTEEN (16) FEET IN HEIGHT, UTILIZE CUT-OFF/SHOEBBOX STYLE LIGHTING, AND UTILIZE TIMERS.5. ILLUMINATION ONTO EXISTING PROPERTIES SHALL NOT EXCEED 0.5 FOOT CANDLES, AND BE LOCATED A MINIMUM OF FIFTY (50) FEET FROM THE PROPERTY LINES.6. THE SIZE OF THE CHURCH SHALL NOT EXCEED 6,000 SF AND ONE (1) STORY IN HEIGHT.7. THE FINAL SITE PLAN SHALL MEET THE APPLICABLE REQUIREMENTS OF THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.
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N 89°48'02"E 619.34'

ONE STORY C.B. CHURCH BUILDING

PROPOSED WORSHIP
CENTER
6,000 SF.
F.F.E. = 59,000

FUTURE FELLOWSHIP
HALL

APPROXIMATE
SEPTIC TANK
LOCATION

APPROXIMATE
DRAINFIELD
LOCATION

EXST. SINGLE
STORY BLDG

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On June 23, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

**LEG SEC 32 TWP 21S RGE 32E BEG 43.18 FT W 330.01 FT S OF NE COR
RUN S 351.01 FT W 622.02 FT N 351.01 FT E 619.34 FT TO BEG (5 AC)**

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Chruch Trinity Assembly of God
P.O. Box 660188
Chuluota, Florida 32766

Project Name: Special Exception for Trinity Assembly of God

Requested Development Approval: Special Exception to allow an attendant building for an existing church.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. Final site plan approval shall meet all applicable Seminole County Land Development Code and Comprehensive Plan regulations.
 2. A landscape buffer (at least ten feet in width, six (6) ft in height, and attaining 100% opacity one year after planting) or a six (6) ft masonry wall with trees planted one per every twenty-five ft along the northern property line shall be provided.
 3. The existing exterior lighting shall be removed from the premises.
 4. Exterior lighting shall be limited to sixteen (16) feet in height, utilize cut-off/shoebox style lighting, and utilize timers.
 5. Illumination onto existing properties shall not exceed 0.5 foot candles, and be located a minimum of fifty (50) feet from the property lines.
 6. The size of the church shall not exceed 6,000 SF and one (1) story in height.
 7. The final site plan shall meet the applicable requirements of the Seminole county vision 2020 comprehensive plan and land development code.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West,
Planning Manager

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Reverend Paul Holmquist on behalf of the Trinity Assembly of God Church of Chuluota, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Paul Holmquist on behalf of
Trinity Assembly of God

Print Name

Witness

Print Name

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Reverend Paul Holmquist who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: